

1 MICHAEL J. O'TOOLE (SBN 97779)
2 City Attorney
3 RANDOLPH S. HOM (SBN 152833)
4 Assistant City Attorney
5 CITY OF HAYWARD
6 777 "B" Street
7 Hayward, California 94541
8 Telephone: (510) 583-4450
9 Facsimile: (510) 583-3660

10 Attorneys for Defendants

11 EDWARD A. BARSCH
12 1157 Buchanan Way
13 Hayward, California 94545-2021
14 (510) 887-4127

15 Plaintiff appearing Pro Se

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 EDWARD A. BARSCH

19 Plaintiff,

20 STIPULATION FOR EXTENSION OF
21 TIME TO COMPLETE ADR PROCESS
22 AND PROPOSED ORDER

23 -vs-

24 MICHAEL O' TOOLE, et al.,

25 Defendants.

26 All parties hereby stipulate and agree by and through their respective counsel as follows:

27 1. That defendants THOMAS J. ORLOFF and LANCE KUBRO have not yet appeared in
the within action;

2. That due to said defendants' absence, this matter is not yet ripe for mediation;

3. That the court appointed mediator and ADR Administrator, Robin Siefkin, concur that
this matter is not ripe for mediation and that the deadline to complete the ADR process should be
extended by at least ninety (90) days;

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1 Accordingly, it is hereby stipulated between the parties:

2 That the deadline to complete the ADR process shall be extended by at least ninety (90)
3 days to January 25, 2008.

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5 DATED: September 26, 2007

MICHAEL J. O'TOOLE, City Attorney

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By:

RANDOLPH S. HOM,
Assistant City Attorney
Attorneys for Defendants

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EDWARD A. BARSCH

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DATED: September , 2007

Edward Barsch

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EDWARD A. BARSCH
Plaintiff appearing Pro Se

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15 ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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19 Dated: _____

Susan Illston

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THE HONORABLE SUSAN ILLSTON
United States District Court Judge

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PROOF OF SERVICE

I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 "B" Street, Hayward, CA 94541.

On October 5, 2007, I served the document(s) described as:

STIPULATION FOR EXTENSION OF TIME TO COMPLETE ADR PROCESS AND PROPOSED ORDER

on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope:

EDWARD A. BARSCH
1157 Buchanan Way
Hayward, California 94545-2021

11 [X] **(BY MAIL)** I am readily familiar with this business's practice for collection and
12 processing of correspondence for mailing, and that correspondence will be deposited with
13 the U.S. Postal Service on the date herein above in the ordinary course of business at
14 Hayward, California.

15 [] **(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the
16 addressee(s).

17 [] **(BY FACSIMILE TRANSMISSION)** I caused a true copy thereof to be transmitted by
18 facsimile machine, which transmission was reported and complete and without error.

19 [] **(BY FEDERAL EXPRESS)** I caused such envelope to be placed with Federal Express
20 for overnight delivery of same.

21 [] **(STATE)** Under the laws of the State of California.

22 [X] **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this
23 Court at whose direction the service was made.

20 I declare under penalty of perjury, under the laws of the State of California, that the
21 foregoing is true and correct.

22 Executed on October 5, 2007, at Hayward, California.

Michelle Power
Michelle Power